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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/392,170	09/08/1999	MONIKA R. HENZINGER	200304479-1	9654

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HEWLETT PACKARD COMPANY		
P O BOX 272400, 3404 E. HARMONY ROAD		
INTELLECTUAL PROPERTY ADMINISTRATION		
FORT COLLINS, CO 80527-2400		

EXAMINER	
LUDWIG, MATTHEW J	

ART UNIT	PAPER NUMBER
2178	

NOTIFICATION DATE	DELIVERY MODE
01/10/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

JERRY.SHORMA@HP.COM
mkraft@hp.com
ipa.mail@hp.com

Office Action Summary	Application No. 09/392,170	Applicant(s) HENZINGER ET AL.	
	Examiner Matthew J. Ludwig	Art Unit 2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) See Continuation Sheet is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 13, 15-19, 21, 22, 24-28, 30, 32, 35-37, 39-41, 44-47, 49, 50, 52-57 and 66-75 is/are allowed.
- 6) ☒ Claim(s) 2, 4-12, and 63-65 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Continuation of Disposition of Claims: Claims pending in the application are 2,4-9,11-13,15-19,21,22,24-28,30,32,35-37,39-41,44-47,49,50,52-57 and 63-75.

DETAILED ACTION

1. This action is responsive to the supplemental amendment received 10/30/07.
2. Claims 2, 4-9, 11-13, 15-19, 21, 22, 24-28, 30, 32, 35-37, 39-41, 44-47, 49, 50, 52-57, and 63-75 are pending in the application.
3. Claims 2-28, 30-32, 35-42, and 44-62 rejected under 35 U.S.C. 102(a) as being anticipated by Henzinger, have been withdrawn pursuant to the declaration received.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. **Claims 2, 4-12, and 63-65 are rejected under 35 U.S.C. 102(b) as being anticipated by Cohen et al., USPN 5,950,189 filed (1/2/1997).**

In reference to independent claim 2, Cohen teaches:

Selecting a host; selecting at random a document associated with the host; retrieving the selected document randomly choosing whether to select a random new document. See column 5, lines 9-67 and column 6, lines 1-67. The reference chooses a host and utilizes proposition 2.3 to determine the probability that a random walk from node v terminates at the node. Furthermore, column 10, lines 1-19, discloses an experimental test of the system of the invention where the task of estimating the largest entries in each row of AtAm were each of the rows {X1.....Xn} of A is the representation of a textual document.

'Responsive to choosing to select the random new document; selecting at random a new host from among the previously selected hosts; selecting at random a new document associated with the new host; and retrieving the selected new document' (See column 10, lines 1-34 and column 11, lines 1-24. The reference to Cohen teaches the various matches and uses of the document sets as represented through the dot products. The table in figure 5 lists results for several choices of the parameter H and T.

In reference to dependent claim 4 and 5, Cohen teaches:

An information retrieval system utilized with document sets and modeling the document retrieval methods as taught by Cohen. See column 10, lines 1-34.

In reference to dependent claim 6, Cohen teaches:

The reference to Cohen teaches the various matches and uses of the document sets as represented through the dot products. The table in figure 5 lists results for several choices of the parameter H and T. See column 10, lines 1-34 and column 11, lines 1-24.

In reference to dependent claim 63, Cohen teaches:

The performance of the invention was tested with respect to the goals of identifying all k nearest neighbors and identifying all high matches. For these goals, the full exact matrix multiplication achieves perfect results. See column 12, lines 30-36.

In reference to claims 7-12, 64, and 65, the limitations reflect language for carrying out similar random walking methods found in claims 2, 4-6, and 65. Therefore, the claims are rejected under similar rationale.

Allowable Subject Matter

6. Claims 13, 15-19, 21, 22, 24-28, 30, 32, 35-37, 39-41, 44-47, 49, 50, 52-57, 66-75 are allowed.


Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew J. Ludwig whose telephone number is 571-272-4127. The examiner can normally be reached on 9:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ML


STEPHEN HONG
SUPERVISORY PATENT EXAMINER